

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**NOTICE CONCERNING WAIVER OF JUDICIAL  
DISQUALIFICATION**

FROM: Angela D. Caesar, Clerk of Court

TO: Matthew Michael Graves, E-mail: matthew.graves@usdoj.gov  
Brian Matthew Heberlig, E-mail: bheberlig@steptoe.com  
Reid Henry Weingarten, E-mail: rweingarten@steptoe.com  
William L. Drake, E-mail: wdrake@steptoe.com  
Dan K. Webb, E-mail: dwebb@winston.com

**FILED**  
**FEB 19 2013**  
Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

RE: United States v. Sandra Stevens Jackson, 13-cr-00059-RLW

Canon 3D of the Code of Conduct provides (with exceptions not pertinent to these cases) that when a judge is disqualified in a proceeding because “the judge’s impartiality might reasonably be questioned,” the judge may participate in the proceeding if all the parties and lawyers, after notice of the basis for the disqualification, have an opportunity to confer outside of the presence of the judge and all agree in writing to waive the disqualification under a procedure independent of the judge’s participation. Unless a waiver is obtained from all parties and all counsel, Judge Wilkins intends to disqualify in these proceedings because of these circumstances:

In 1988, while a law student, Judge Wilkins served as a co-chair of Harvard Law School students supporting the presidential campaign of Rev. Jesse L. Jackson, Sr., and on October 24 1988, Judge Wilkins introduced Rev. Jackson when he came to speak at a campus event supporting the presidential candidacy of Governor Michael Dukakis. On March 21, 1999, while an attorney, Judge Wilkins appeared as a guest on a show hosted by Rev. Jackson on the CNN network entitled “Both Sides with Jesse Jackson” to discuss a civil rights lawsuit in which Judge Wilkins was a plaintiff. Judge Wilkins believes that he has spoken to Rev. Jackson only on these two occasions, and he does not believe that he has ever met or spoken to the two defendants in these cases.

If you and your client(s) wish to waive the judge’s disqualification, a letter to that effect from you and from your client(s) must be sent to me within three days of the date of this Notice. A sample letter is enclosed. The letter should be signed and submitted by the attorney of record only after consultation with all of his or her clients in the above-styled and numbered cause. The letters should not be sent to the judge and copies should not be sent to other counsel. **DO NOT E-FILE YOUR LETTER(S). SUBMIT DIRECTLY TO THE CLERK OF COURT.** If all parties submit such letters, this Notice and all responses will be made part of the record, as required by Canon 3D, and the judge will continue participation in the proceeding. If a waiver is not received on behalf of all parties and their respective counsel by noon on February 22, this Notice and any responses will be kept under seal by the clerk and not shown to the judge, nor will the judge be informed of the identity of any party or lawyer who declined to waive the disqualification. If the disqualification is not waived in both of the above-referenced cases by noon on February 22, the case will be reassigned to another judge.

This form must be signed and returned to the U.S. District Court Clerk:

By mail: Angela D. Caesar, U.S. District Court Clerk, 333 Constitution Ave NW, Washington, DC 20001

Or by FAX: Attention Angela D. Caesar, 202-354-3067

Or by e-mail: Angela\_Caesar@dcd.uscourts.gov

so that the Clerk receives the form **NOT LATER THAN NOON ON FEBRUARY 22, 2013.**

This notice was transmitted on the 19th day of February, 2013.

/s/ Angela D. Caesar  
ANGELA D. CAESAR, CLERK

From: Matt Graves  
United States Attorney's Office  
District of Columbia  
555 4th Street, N.W., 5<sup>th</sup> Floor  
Washington, D.C. 20530

To: Angela D. Caesar  
U.S. District Court Clerk  
333 Constitution Ave, NW  
Washington, DC 20001

**FILED**  
**FEB 19 2013**  
Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

Date: February 19, 2013

Re: United States v. Sandra Jackson, Case No. 13-CR-59

Dear Clerk:

Counsel for the United States has received and reviewed the Clerk's Notice informing the parties that Judge Wilkins intends to disqualify himself from this case because his impartiality might reasonably be questioned. The United States hereby waives this disqualification. We are willing to proceed forward with Judge Wilkins presiding.

Pursuant to Canon 3D of the Code of Conduct, I am submitting this letter to the clerk's office, but I am not copying Judge Wilkins, nor am I copying the other counsel of record or the other parties.

Yours truly,



Matt Graves

Attorney of Record, on behalf of:  
The United States

***NOTICE TO ATTORNEYS: DO NOT E-FILE THIS FORM; SUBMIT DIRECTLY TO THE  
CLERK OF COURT***

From: Thomas L. Kirsch  
35 W. Wacker Dr.  
Chicago, IL 60601

To: Angela D. Caesar  
U.S. District Court Clerk  
333 Constitution Ave, NW  
Washington, DC 20001

Date: February 19, 2013

Re: United States v. Sandi Jackson, Case No. 13-cr-59

**FILED**

**FEB 19 2013**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

Dear Clerk:

I have consulted with my client(s), Sandi Jackson, which are all of the clients that I represent in the above-styled and numbered cause, concerning the Clerk's Notice that Judge Wilkins intends to disqualify himself from this case because his impartiality might reasonably be questioned. My client(s) and I hereby waive this disqualification. We are willing to proceed forward with Judge Wilkins presiding.

Pursuant to Canon 3D of the Code of Conduct, I am submitting this letter to the clerk's office, but I am not copying Judge Wilkins, nor am I copying the other counsel of record or the other parties.

Yours truly,

/s/

Thomas L. Kirsch

Attorney of Record, on behalf of:  
Sandi Jackson